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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,180	02/25/2002	Bruce L. Davis	P0585	1232

23735 7590 07/01/2004

DIGIMARC CORPORATION  
19801 SW 72ND AVENUE  
SUITE 250  
TUALATIN, OR 97062

EXAMINER

QURESHI, SHABANA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/086,180	<b>Applicant(s)</b> DAVIS, BRUCE L.	
	<b>Examiner</b> Shabana Qureshi	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Rhoads (US Patent No. 5,841,886).

In regards to claim 16, Rhoads teaches a document printing method, comprising:

- receiving a digital photo, the photo having plural-bit data steganographically encoded therein (column 7, lines 4-67);
- by reference to the steganographically encoded data, generating text to be printed with the printing a document including both the photo and the text photo (column 3, lines 1-7; column 7, lines 4-67); and
- printing a document including both text and photo (column 3, lines 1-7).

As per claim 17, Rhoads teaches the method of claim 16 that includes electronically transmitting at least a part of the plural-bit data to a remote computer, and receiving the text from the computer (column 2, line 64 – column 3, line 7).

As per claim 18, Rhoads teaches the method of claim 16, that includes receiving the digital photo from an archive of facial images (column 3, lines 19-22).

As per claim 19, Rhoads teaches the method of claim 16 that includes receiving the digital photo from an image archive maintained by a government agency (column 2, line 64 – column 3, line 4, column 6, line s50-57).

As per claim 20, Rhoads teaches the method of claim 16 in which the document is an identification document (column 6, lines 50-57).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhoads (US Patent No. 5,841,886).

In regards to claim 1, Rhoads teaches a method of printing a trusted image, comprising:

- an individual user electronically contacting a central network (column 2, line 64 – column 3, line 8, figure 1), soliciting an image depicting the user stored in an archive maintained by the central network (column 3, lines 19-22);
- electronically receiving the image from the central network (column 3, lines 1-4); and
- printing a document incorporating the image (column 3, lines 1-4).

Rhoads teaches that the ID card may be used for government use (column 50-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the central network can be a government agency.

Rhoads does not explicitly state that the image is received by the user that solicits the image. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the soliciting and receiving may be done at the same terminal so that the user may print an identification card (column 6, lines 50-57).

As per claim 2, Rhoads teaches the method of claim 1. Rhoads does not explicitly state that the image is received by the user that solicits the image. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the soliciting, receiving, and printing may be done at the same terminal so that the user may print an identification card (column 6, lines 50-57).

As per claim 3, Rhoads teaches the method of claim 1 in which the document is a photo identification document (column 6, lines 50-57).

As per claim 4, Rhoads teaches the method of claim 1 in which the document is an identification badge (column 6, lines 50-57).

As per claim 5, Rhoads teaches the method of claim 1 in which the governmental agency is a motor vehicle licensing agency, and the image is a driver license photo (column 6, lines 50-57).

As per claim 6, Rhoads teaches the method of claim 1 in which the image is processed with an identification code by the governmental agency (column 6, lines 50-57).

As per claim 7, Rhoads teaches the method of claim 1 in which the image is digitally watermarked with a plural-bit code by the governmental agency (column 4, line 5 – column 5, line 3, column 8, lines 6-15).

As per claim 8, Rhoads teaches the method of claim 7 in which the plural-bit code serves to identify the individual user's name (column 4, line 5 – column 5, line 3, column 3, lines 19-22).

As per claim 9, Rhoads teaches the method of claim 8 in which the plural-bit code comprises an index into a data structure in which the individual user's name is stored (column 4, line 5 – column 5, line 3, column 3, lines 19-22).

As per claim 10, Rhoads teaches a document printed according to the method of 1 (column 3, lines 1-8).

As per claim 11, Rhoads teaches a method of distributing a trusted image, comprising:

- at a central network, receiving an electronic request for an archived personal image from an individual depicted in the image (column 2, line 64 – column 3, line 4); and
- electronically transmitting the image to the individual (column 3, lines 1-7).

Rhoads teaches that the ID card may be used for government use (column 50-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the central network can be a government agency.

As per claim 12, Rhoads teaches the method of claim 11 that includes processing the image with an identification code prior to the electronic transmission (column 3, lines 1-4).

As per claim 13, Rhoads teaches the method of claim 11 that includes digitally watermarking the image with a plural-bit code prior to the electronic transmission (column 4, line 5 – column 5, column 3, lines 19-22).

As per claim 14, Rhoads teaches the method of claim 13 in which the plural-bit code serves to identify the individual's name, (column 4, line 5 – column 5, column 3, lines 19-22).

As per claim 15, Rhoads teaches the method of claim 14 in which the plural-bit code comprises an index into a data structure in which the individual's name is stored (column 4, line 5 – column 5, column 3, lines 19-22).

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (703) 308-6118. The examiner can normally be reached on Monday - Friday, 8:30am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi  
Examiner  
Art Unit 2155

SQ  
27 June 2004

  
ZARNI MAUNG  
PRIMARY EXAMINER